

REGULATIONS PERTAINING TO THE
MANUFACTURE, RENOVATION AND SALE OF BEDDING

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6455. DEFINITIONS

The term "bedding" as used in this act shall be construed to mean any mattress, upholstered spring, comforter, pad, cushion, or pillow designed and made for use in sleeping.

The word "person" as used in this act shall be construed to impart the plural and the singular, as the case demands, and shall include individuals, corporations, partnerships, joint-stock companies, societies and associations.

The word "new" as used in this Act shall mean any material which has not been used in the manufacture of another article or used for any other purpose.

When construing and enforcing the provisions of this Act, the act, omission or failure of any officer, agent or other person acting for, or employed by any individual, corporation, partnership, joint-stock company, society or association, within the scope of his employment or office shall in every case be also deemed the act, omission or failure of such individual, corporation, partnership, joint-stock company, society or association as well as that of the person.

Sec. 1, Act 249, Acts of 1927, approved March 24, 1927

6456. USED MATERIAL FORBIDDEN

No person shall use in the making or remaking of any article of bedding as herein defined, any material of any kind that has been used by or about any person having an infectious or contagious disease, or has formed a part of any article of bedding which has been so used.

6457. SAME—SALE FORBIDDEN

No person shall sell, offer for sale, deliver, consign for sale, or have in his possession with intent to sell, deliver or consign for sale, any article of bedding that has been used by or about any person having an infectious or contagious disease. Id. Section 3.

6458. STERILIZATION OF MATERIAL

No person shall remake or renovate any article of bedding unless all the material to be used in said remade or renovated bedding shall first be thoroughly sterilized and disinfected by a process approved by the State Health Commissioner.

Any person who receives bedding to be renovated shall attach to each such article of bedding at the time of its receipt, a tag upon which has been legibly written the name and address of the owner of the bedding and the date it was received for renovation.

No person shall use in the making of bedding any previously used material unless such material has been sterilized and disinfected by a process approved by the State Health Commissioner. Id. Section 4.

6459. BEDDING TO BE LABELED

No person shall sell, offer for sale, deliver, consign for sale, or have in his possession with intent to sell, offer for sale, deliver or consign for sale, any article of bedding unless the same be labeled as follows:

Upon each of such articles of bedding there shall be securely sewed upon the outside thereof a label upon which shall be legibly written or printed, in the English language, the name of the material or the names of the materials used as the filling of such article of bedding; if all the material used as the filling of such article of bedding shall not have been previously used, the words "manufactured of new material" shall appear upon said label, together with the name and address of the maker of the bedding.

If any of the material used in the making or remaking of such article of bedding shall have been previously used, the words "manufactured of previously used material" or "remade of previously used material" as the case may be, shall appear upon said label, together with the name and address of the maker thereof and also a description of the material used in the filling of such article of bedding.

On any article of bedding not remade, but which has been used shall be labeled "second hand."

The label required by this Section shall be muslin or linen and not less than two inches by three inches in size. The statement required under this Section shall be in form as follows:

Manufactured of new material

Materials used in filling _____

Made by _____

Address _____

The words "manufactured of new material" or "remade of previously used material", or "second-hand materials used in filling not known", together with the description of the material used as the filling of an article of bedding shall be in letters not less than one-eighth (1/8) of an inch in height.

The sewing of one edge of the said label securely into an outside seam of any article of bedding shall be deemed a compliance with that portion of the Act requiring that the label be "securely sewed" upon the article. This label shall contain all the statements required by this Act, and shall be securely sewed to the ticking or cover of every article of bedding to be manufactured, before the filling material has been placed inside the ticking or cover.

No term or description likely to mislead shall be used on any label required by this Act, in the description of the materials used in the filling of any article of bedding.

6460. UNLAWFUL TO REMOVE LABEL.

Any person, other than a purchaser for his own use, who shall remove, deface, alter or shall cause to be removed, defaced or altered, any label upon any article of bedding so labeled under the provision of this Act shall be guilty of a violation thereof.

6461. FELT DEFINED

If the label shall bear the word "felt," it shall be construed to mean that the materials from which the felt was made, has been carded layer by a garnett, of felting machine. Id. Section 7.

6462. OFFENSES

Any person who shall fail to comply with any of the provisions of this Act shall be guilty of a violation thereof. The unit for a separate and distinct offense in violation of this Act shall be each and every article of bedding made, or remade, or sold, or offered for sale, or consigned, or possessed with intent to sell, offer for sale, deliver, or consign, contrary to the provisions hereof. Id. Section 8.

6463. UNLAWFUL TO REMOVE LABEL ON HOTEL BEDDING

It shall be unlawful for any owner, his employees, or servants, of any hostelry or hotel, rooming or boarding house operated for profit, to remove or cause to be removed from mattress purchased for the use in their place of business after the effective date of this Act, or label attached thereto. Id. Section 9.

6464. OFFENSES IN MANUFACTURING OF BEDDING

It shall be unlawful and punishable by provisions of this Act, for any person, firm, or corporation, or their agent or agents to use or cause to be used in the manufacture, or renovation of mattresses materials of any description, in whole or in part, that have been used in or about any public or private hospital or sanatorium for the treatment of any infectious or contagious disease, or materials obtained from mattresses from hotels, rooming and boarding houses, and other public buildings where mattresses have been used for their original purpose, provided however, that this shall not prevent the use of materials as prohibited in Section 6458, when they have been thoroughly sterilized by a method of sterilization approved or adopted by the State Board of Health; but in which event the mattress shall be labeled as indicated in Section 6459, as may apply. Id. Section 10.

6465. DOES NOT APPLY TO HOME USE

These rules shall not be so construed as to prevent any individual from manufacturing, renovating, or having manufactured or renovated, mattresses for his/her own home or domestic use. Provided, that any individual firm or corporation who shall so manufacture or renovate a mattress for another, as set out in this Act, shall be required to label same as provided in Section 6459 hereof. Id. Section 11..

6466. RULES PRESCRIBED BY STATE BOARD OF HEALTH

It is hereby made the duty of the State Board of Health to promulgate and public rules and regulations prescribing the method of sterilization that may be used by those engaged in the manufacture of mattresses and bedding, or in the renovation thereof. All persons, firms, or corporations who shall conform tot he regulations as promulgated by the State Board of Health, as herein directed, shall be deemed as complying with the law. Id. Section 12.

6467. OFFENSES UNDER ACT

Any person, firm or corporation who shall fail to comply with any of the provisions of this Act shall be guilty of a violation of this Act, and each and every mattress manufactured, remade, or renovated, sold, offered for sale, delivered, consigned or possessed with an intent to sell, offer for sale, deliver, or consign contrary to the provisions of this Act shall be deemed a separate offense. Id. Section 13.

6468. PENALTY

Every person who shall be found guilty of a violation of the provisions of this Act shall be subject to a fine of not less than twenty five (\$25.00) dollars, nor more than two hundred fifty (\$250.00) dollars, or not less thatn thirty (30) days, nor more thatn ninety (90) days in prison, or both, as the court may deem proper. Id. Section 14.